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impelled by malice or gross negligence, or attended with circumstances of aggravation, exemplary damages are usually recoverable under statute, in most cases treble damages are allowed. *Simpson v. Woodward*, 5 Kan., 571; *Gates v. Comstock*, 113 Mich., 127. Wisconsin has an exceptional statutory rule, namely, that the damages for timber or trees wrongfully cut on the land of another are the highest market value thereof in whatever state the timber may be put by the party cutting at the time of the action. *Webster v. Moe*, 35 Wis., 75.

WITNESSES—PRIVILEGED COMMUNICATION—ATTORNEY AND CLIENT.—IN RE TRAINER, 130 N. Y. SUPP., 682.—*Held*, that a client's communication of an address to an attorney, while consulting him in a professional capacity, for the purpose of enabling the attorney to communicate with him, is a "privileged communication," which the attorney cannot be compelled to disclose when the relation of attorney and client has ceased, and the information is sought in litigation to which the client is not a party.

In general, every communication which the client makes to an attorney in a professional capacity is confidential, and the attorney cannot be permitted, nor the client compelled, to disclose it. *Werdell v. Gray's Harbor, etc., Co.*, 115 Cal., 517; *Struckmeyer v. Lamb*, 75 Minn., 366; *Vogel v. Gruaz*, 110 U. S., 311. But as this rule has a tendency to prevent full disclosure of the truth, it is generally strictly construed. *Turner's Appeal*, 72 Conn., 305; *Goltra v. Wolcott*, 14 Ill., 88; *Foster v. Hall*, 12 Pick. (Mass.), 89. But *Wade v. Ridley*, 87 Me., 368, holds *contra*, that it should be liberally construed. And there are exceptions to the general rule, as when attorney and client are engaged in a wrongful act, or the attorney is a witness to his client's will. *Butler v. Fayerweather*, 91 Fed., 458; *Matthews v. Hoagland*, 48 N. J. Eq., 455; *Dudley v. Beck*, 3 Wis., 274. So an attorney may testify as to the identity or as to the handwriting of his client. *White v. State*, 86 Ala., 69; *Com. v. Bacon*, 135 Mass., 521; *Gower v. Emery*, 18 Me., 79; *Thomson v. Perkins*, 57 N. Y. Supp., 810. *Contra*, *Parkins v. Hawkshaw*, 2 Stark., 239. And it has been held that an attorney must disclose his client's address. *Panisbotham v. Senior*, L. R., 8 Eq., 575; *Alden v. Goddard*, 73 Me., 345. *Contra*, *Harris v. Holler*, 7 Dowl. & L., 319; *Heath v. Crealock*, L. R., 15 Eq., 257. The better rule seems to be that an attorney is not protected from making such disclosures because the address became known to him in his professional character, unless communicated to him by the client in professional confidence for the purpose of obtaining advice. *Ex Parte Campbell*, L. R., 5 Ch., 703; *Re Arnot*, 60 L. T. N. S., 109; *Havana City Ry. Co. v. Ceballos*, 56 N. Y. Supp., 360. But in all these cases where disclosure has been allowed, it has been during the pendency of the action to which the client was a party. See *Carnes v. Platt*, 36 N. Y. Super. Ct., 361; *Hooper v. Harcourt*, 1 H. Black., 534.